



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

June 27, 1994

CERTIFIED RETURN RECEIPT
P 074 978 903

Mr. Gilbert Jennings
J & J Masonry Supply Company
180 North 300 East
St. George, Utah 84770

Re: Unauthorized Mining Activities, ML 18847, S/001/029, Beaver County, Utah

Dear Mr. Jennings:

On June 23, 1994, the Division received a copy of a letter from State Lands and Forestry concerning your mining operation located in Section 2, T28S, R9W, SLBM, Beaver County, Utah. The letter stated that you are currently mining under a lease obtained from State Lands. Rule R647-2 of the Utah Mined Land Reclamation Act of 1975, Title 40-8 et seq., Utah Code Annotated, requires that all mining activities be properly permitted with this Division and related agencies *before* commencing mining activities. Our records indicate that we have not received a Notice of Intention to Commence Mining Operations for this mining project; therefore, you may be conducting operations in direct violation of the Mined Land Reclamation Act (the "Act"). The Act applies to all lands within Utah, including: federal, state, and private (except Indian reservations, military installations, national and state parks, etc.).

Enclosed is a set of our rules which apply to exploration, small, and large mining activities conducted within the state. We have also enclosed copies of our permit application forms (MR-EXP, MR-SM0, and MR-LMO) for your use. Please complete and *immediately* return the appropriate form to this office. You will need to assess your current, and/or proposed level of exploration or mining activity to determine which form to use. A small mine is categorized as having no more than 5 surface areas of disturbance (including constructed and/or upgraded access roads) at any time during the life of the operation. A mining operation disturbing more than 5 acres is categorized as a large mine.


Large mining operations are required to post a reclamation surety with this Division. The surety amount is based upon projected costs to reclaim the mine disturbance after mining has ceased. Small mining operations do not have to post a reclamation surety with this

Page 2
Gilbert Jennings
S/001/029
June 27, 1994

Division. However, State Lands does require a bond posted with them for any amount of disturbance. If your operation falls within the Large Mining category, the Division will work jointly with State Lands in determining the bond amount. Your failure to immediately file the appropriate permit application form(s) may result in subsequent enforcement action being initiated by this office.

Do not hesitate to call me if you have any questions. In reply, please refer to assigned file number S/001/029. Thank you for your cooperation and attention to this matter.

Sincerely,



Travis W. Jones
Reclamation Hydrologist

jb
Enclosure
cc: John Blake, State Lands
S001029